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ATTORNEY'S DOCKET NO.: B0801/7116 (ERG/KA)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: SHINOHARA, Toshimichi; SINGH, Dharendra; and CHYLACK, Leo T. Jr.
Serial No. 09/121,211
Filed: July 23, 1998
For: LENS EPITHELIAL CELL DERIVED GROWTH FACTOR
Examiner: unassigned
Art Unit: 1623

MAR 10 1999
GROUP 1800

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Assistant Commissioner for Patents, Attention: Box IDS, Washington, D.C. 20231, on the 2^d day of March 1999.

Signature: _____

Printed Name: Jill R. Clarke

Assistant Commissioner for Patents
Attention: Box IDS
Washington, D.C. 20231

TRANSMITTAL LETTER

Sir:

Transmitted herewith are the following documents:

- ☒ Statement Filed Pursuant to the Duty of Disclosure Under 37 CFR §§1.56, 1.97 AND 1.98
- ☒ PTO 1449 Form (Modified) and Copy of Cited References
- ☒ Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

No check is enclosed as it is believed that no filing fee is due. If this is incorrect, the fee may be charged to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

By: _____

Edward R. Gates, Reg. No. 31,616
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, MA 02210-2211
(617)720-3500

Docket No.: B0801/7116 (ERG/KA)
Date: March 2, 1999
xndd



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M.G.J.
3/24/99

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Signature: *Jul R. Clarke*
Printed Name: Jul R. Clarke

Assistant Commissioner for Patents
Attention: Box IDS
Washington, D.C. 20231

**STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicants request consideration of this Information Disclosure Statement.

Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed more than three months after the filing date of this application but before the mailing date of a first Office Action on the merits in the above-identified case.

No fee or certification is required.

Information Cited

The Applicants hereby make of record in the above-identified application the information listed on the attached form PTO-1449 (modified). These references were cited as relevant art by the International Searching Authority during prosecution of a related PCT case. The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicants hereby make the following additional information of record in the above-identified application:

Remarks

A copy of each of the above-identified information is enclosed except reference C4 (Ochs, R.L. et al., File: TRHUM Database Accession No. O00256), which was not included in the copies of the references provided by the International Search Authority. Applicants have requested a copy this document from the International Search Authority and will forward it to the U.S.P.T.O. as soon as it becomes available. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicants make no representation that a search has been performed, of the extent of any search performed, or that

more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicants make no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicants make no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicants, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,

By: 

Edward R. Gates, Reg. No. 31,616
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, MA 02210
Tel. (617)720-3500

Docket No. B0801/7116 (ERG/KA)

Dated: March 2, 1999

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